

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

IVAN LOPEZ-BECERRA,

Defendant.

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8:09CR233

ORDER

This matter is before the court on the defendant's unopposed motion to continue trial (Doc.). For good cause shown, trial will be continued to November 3, 2009.

IT IS ORDERED that the motion is granted, as follows:

1. The jury trial now set for October 6, 2009 is continued to **November 3, 2009**.

2. In accordance with [18 U.S.C. § 3161\(h\)\(8\)\(A\)](#), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **October 6, 2009 and November 3, 2009**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act because the failure to grant a continuance would deny the defendant reasonable time to obtain counsel, would unreasonably deny the defendant or the Government continuity of counsel, or would deny counsel for the defendant or the attorney for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. 3161(h)(8)(A) & (B)(iv).

DATED September 9, 2009.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**